



Docket No.: NE-70095US
PRI.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Allowed: May 10, 2005

Hidemitsu AOKI, et al.

Serial No.: 10/614,971

Group Art Unit: 2812

Filing Date: July 9, 2003

Examiner: Olivia T. Luk

For: PREPARATION PROCESS FOR SEMICONDUCTOR DEVICE

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

**STATEMENT OF SUBSTANCE OF THE INTERVIEW AND
REQUEST FOR CONSIDERATION OF PRIORITY DOCUMENT**

Sir:

I. STATEMENT OF SUBSTANCE OF THE INTERVIEW

As a preliminary matter, Applicants' representative would like to thank the Examiner for courtesies extended in the telephonic interview conducted on April 20, 2005.

An Examiner's Interview Summary Record (PTOL-413) was provided by the Examiner with the Notice of Allowance and Notice of Allowability dated May 10, 2005.

Applicants submit this Statement to comply with the requirements of M.P.E.P. §713.04.

In the interview, the following was discussed:

A. Identification of claims discussed:

Claims 1-25.

B. Identification of prior art discussed:

None.

C. Identification of principal proposed amendments:

Examiner proposed Examiner's amendment to claims 1 and 2 to correct lack of antecedent basis.

D. Brief Identification of principal arguments:

None.

ETW

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E. Results of the Interview:

Applicants' representative approved the Examiner's proposed Examiner's amendment. Specifically, Applicants' representative agreed to have the Examiner enter an Examiner's Amendment to replace the term "the" with "a" before residue in claim 1 line 4, and similarly in claim 2 line 5.

F. Conclusion:

The Examiner indicated that the Examiner's Amendment would place the Application in condition for immediate allowance.

II. REQUEST FOR CONSIDERATION OF PRIORITY DOCUMENT

Applicants respectfully request that the certified priority document filed on July 9, 2003, be officially made of record. Copies of the Declaration, the face of the submitted certified priority document, the new application transmittal (all filed on July 9, 2003), and the USPTO date-stamped postcard are enclosed for the Examiner's convenience.

A Notice of Allowability was issued on May 10, 2005. However, the Notice of Allowability did not indicate that the priority document was received.

Therefore, Applicants respectfully request that the Examiner officially acknowledge the priority document, and notify the undersigned of such acknowledgment.

The Commissioner is hereby authorized to charge any fees or to credit any overpayment in fees to Deposit Account No. 50-0481.

Respectfully submitted,



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

Date: May 19, 2005
McGinn & Gibb, PLLC
Intellectual Property Law
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(703) 761-4100
Customer No. 21254

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

Docket No.
NE-70095US

Total Pages in this Submission

(Only for new nonprovisional applications under 37 CFR 1.53(b))

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

PREPARATION PROCESS FOR SEMICONDUCTOR DEVICE

and invented by:

- 1) Hidemitsu AOKI
- 2) Kenichi TOKIOKA
- 3) Yoshiko KASAMA
- 4) Tatsuya KOITO
- 5) Keiji HIRANO

Assignee Name: NEC Electronics Corporation
Assignee Residence: Kawasaki, Kanagawa, Japan

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 27 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal Number of Sheets 12 (Figures 1A-13)
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy) ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Certificate of Mailing
- ☐ First Class ☐ Express Mail (Specify Label No.): _____

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Accompanying Application Parts (Continued)

17. ☐ Additional Enclosures *(please identify below):*

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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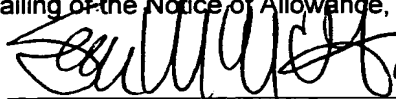
Total Pages in this Submission

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	22	- 20 =	2	x \$18.00	\$36.00
Indep. Claims	4	- 3 =	1	x \$84.00	\$84.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$750.00
OTHER FEE (specify purpose) Assignment Recordation					\$40.00
TOTAL FILING FEE					\$910.00

- ☒ A check in the amount of **\$910.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0481** as described below.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).


Signature

Sean M. McGinn, Esq.
Registration No. 34,386
Customer No. 21254

Dated: July 9, 2003

CC:



MM/BKS
PRI.002

HAND DELIVERED

(P)

**New Application Post Card Filing Receipt and
Request for Early Notification of Serial Number**

Attorney's Docket Number: NE-7009503 ☒ Patent ☐ Trademark
Applicant's Name: Hidemitsu AOKI, et al. Application Filing Date: 07/9/03

Title: Preparation Process for Semiconductor Device

Papers Filed Herewith:

17 Pages Specification, Claims and Abstract 22 Total Claims 4 Independent Claims

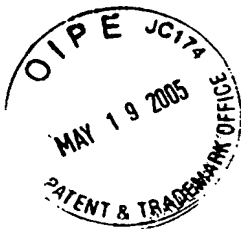
12 Sheets ☒ (Figs. 1A-13) Formal Drawings ☐ Informal Drawings ☐ Priority Document(s)
☒ Patent Application Transmittal Sheet ☒ Declaration/Power of Attorney
☐ IDS ☐ 1449 Form w/ Documents ☒ Assignment ☒ Recordation Cover ☐
Other _____

Fees Filed Herewith: \$ 910.⁰⁰ ☒ Check ☐ Charge Deposit Account: _____
check # 9504



Law Offices of
McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817

21712 U.S. PTO
10/614971
07/09/03



日 本 国 特 許 庁
JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office

出 願 年 月 日

Date of Application:

2002年 7月10日

出 願 番 号

Application Number:

特願2002-201901

[ST.10/C]:

[JP2002-201901]

出 願 人

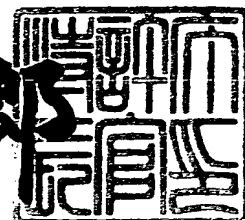
Applicant(s):

NECエレクトロニクス株式会社

2003年 5月13日

特許庁長官
Commissioner,
Japan Patent Office

太田信一郎



出証番号 出証特2003-3034325